

STATE OF NEW YORK)

ss.:

COUNTY OF NASSAU)

MAUREEN SAUTER, being duly sworn, deposes and says:

That she is over the age of 21 years, resides at Massapequa, New York and is not a party to this action.

That on the 12<sup>th</sup> day of September, 2005 she served a copy of the within Amended Reply to Counterclaims by depositing true copies thereof in properly sealed postpaid wrappers, in a post office box regularly maintained by the Post Office of the United States located on the premises at Garden City Center, 100 Quentin Roosevelt Boulevard, Garden City, New York 11530, addressed as follows:

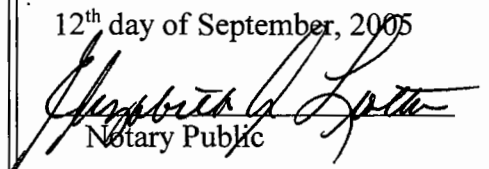
Pryor Cashman Sherman & Flynn LLP  
410 Park Avenue  
New York, New York 10022-4441  
Attn: Ronald H. Schechtman, Esq.

Leonard A. Sclafani, Esq.  
Polatsek and Sclafani  
Attorneys for Defendant Neal S. Simon  
18 East 41<sup>st</sup> Street, Suite 1500  
New York, NY 10017

that being the addresses designated on the latest papers served by them in this action.

  
MAUREEN SAUTER

Sworn to before me this  
12<sup>th</sup> day of September, 2005

  
Notary Public

ELIZABETH A. LIOTTA  
Notary Public, State of New York  
No. 01LI5048027  
Qualified in Nassau County  
Commission Expires Aug. 14, 192009